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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

12 XINWEN CUI,

13 Plaintiff,

14 v.

15 ALEJANDRO MAYORKAS, Secretary of
United States Department of Homeland
16 Security, *et al.*,

17 Defendants.

C 3:24-cv-00846 LJC

**STIPULATION TO STAY PROCEEDINGS;
ORDER**

19 The parties, through their attorneys, hereby stipulate and respectfully request the Court to stay
20 proceedings in this case for a limited time, until December 5, 2024. The parties make this joint request
21 because they are pursuing an administrative resolution that may render further litigation of this case
22 unnecessary.

23 1. Plaintiff filed this mandamus action seeking a decision on her Form I-589, Application
24 for Asylum and Withholding of Removal. United States Citizenship and Immigration Services
25 (“USCIS”) scheduled an interview for August 7, 2024. USCIS will work diligently towards completing
26 adjudication of the I-589 application, absent the need for further adjudicative action or unforeseen
27 circumstances that would require additional time for adjudication.

2. Plaintiff agrees to submit all supplemental documents and evidence to USCIS seven to ten days prior to the agreed upon scheduled interview. Plaintiff recognizes that failure to submit these documents seven to ten days prior to the interview may result in the interview being rescheduled at no fault of USCIS.

3. If needed by Plaintiff or their dependent(s), Plaintiff shall bring their own interpreter to their asylum interview. See <https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-provide-interpreters-starting-sept-13>. Plaintiff recognizes that failure to bring an interpreter to their interview may result in the interview being rescheduled at no fault of USCIS.

4. Upon receipt of the Asylum Office's decision, Plaintiff agrees to voluntarily dismiss the case.

5. The parties agree to bear their own litigation costs and attorney fees.

Accordingly, the parties stipulate and request that the proceedings in this case be stayed until December 5, 2024, at which time the parties will file a joint status report with the Court. At that time, the parties may request a further continuance of the stay of proceedings, dismissal of the litigation if appropriate, or placement of the case back on the Court's active docket. A stay of proceedings in this case will benefit the parties and conserve the Court's resources while the parties pursue a potential administrative resolution. In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that all signatories listed herein concur in the filing of this document.

Dated: April 12, 2024

Respectfully submitted,

ISMAIL J. RAMSEY
United States Attorney

/s/ Elizabeth D. Kurlan
ELIZABETH D. KURLAN
Assistant United States Attorney
Attorneys for Defendants

1 Dated: April 12, 2024

/s/ Mei Zhou

MEI ZHOU

Attorney for Plaintiff

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4
5 **ORDER**

6 Pursuant to stipulation, IT IS SO ORDERED.

7
8 Date: April 12, 2024


LISA J. CISNEROS

United States Magistrate Judge